

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cowley et al.
Application No. : 10/511,794
Filed : March 17, 2005
Title : SPECIFIC ANTIBODY FRAGMENTS FOR THE HUMAN
CARCINOEMBRYONIC ANTIGEN (CEA)

TC/A.U. : 1643
Examiner : Lynn Anne Bristol
Confirmation No. : 6673

Docket No. : 976-20 PCT/US/RCE
Dated : January 9, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of EFS-Web Transmission

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via the Office's electronic filing system on **January 9, 2009**.

Lisa Guzzardo

(Printed Name)

Signature: /lisa guzzardo/

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action mailed **October 9, 2008**, twice rejecting **32-36, 39-42 and 47-56**. The present Notice of Appeal is being filed within three months of the mailing date of the October 9, 2008 Office Action.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANTS

This application is on behalf of

- ☐ other than a small entity .
☒ small entity.

A verified statement claiming small entity status

- ☐ is attached.
☐ was already filed on _____.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

<input checked="" type="checkbox"/>	small entity	\$270.00
<input type="checkbox"/>	other than small entity	\$540.00

Notice of Appeal fee due **\$270.00**

3. **EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B), as applicable)

- (A) ☐ Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	<u>Extension (months)</u>	<u>Fee for Other than Small Entity</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/>	one month	\$ 130.00	\$ 65.00
<input type="checkbox"/>	two months	\$ 490.00	\$245.00
<input type="checkbox"/>	three months	\$1,110.00	\$555.00
<input type="checkbox"/>	four months	\$1,730.00	\$1,175.00

Fee due for indicated extension \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

Extension fee due with this request \$ _____

OR

- (B) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 270.00

Extension fee (if any) \$ _____ TOTAL FEE DUE \$ 270.00

5. FEE PAYMENT

☐ Attached is a check in the sum of \$_____.

☒ Charge Account No. 08-2461 the sum of \$ 270.00

6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required or any overpayment has been made, please charge or credit our Deposit Account No. **08-2461** for such sum.

AND/OR

☒ If any additional fee for claims is required or any overpayment has been made, please charge or credit our Deposit Account No. **08-2461** for such sum.

Respectfully submitted,

/anna c. chau/

Anna C. Chau

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